

REMARKS

The application has been carefully reviewed in light of the Office Action dated October 5, 2005. Claims 1 to 8, 11 to 13, and 17 to 32 are in the application, with Claims 17 to 32 being withdrawn from consideration pursuant to a restriction requirement. Claim 1 is the sole independent claim under consideration. Claims 9 and 10 have been cancelled without prejudice. Claims 1, 7, and 8 have been amended herein, which amendments include the incorporation of subject matter from Claims 9 and 10 into Claim 1. Reconsideration and further examination are respectfully requested.

In the July 15, 2005 Amendment, Applicants traversed the restriction requirement set forth in the April 20, 2005 Office Action. The instant Office Action does not reply to the arguments advanced by Applicants in the traverse, as is required by MPEP § 821.01. Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Claims 1 to 5 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,880,563 (Kume). Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) over Kume in view of Japan 10-223585 (Kiyobumi '585). Claim 6 was rejected under 35 U.S.C. § 103(a) over Kume in view of Japan 10-242103 (Fumio). Claims 7 to 11 were rejected under 35 U.S.C. § 103(a) over Kume in view of Kiyobumi '585 or Fumio, and further in view of Japan 2000-133632 (Kiyobumi '632). The rejections are respectfully traversed.

Claim 1 recites, *inter alia*, a driving mechanism which moves said discharge portion during processing of the substrate, wherein said driving mechanism is configured to reciprocally move said discharge portion such that the process solution discharged from said discharge portion is sequentially supplied to an entire surface of the substrate.

The Office Action asserts that Kiyobumi '632's pump 109 corresponds to the driving mechanism of the present invention. However, nowhere is Kiyobumi '632 seen to describe that the pump 109 moves a discharge portion during processing of a substrate and is configured to reciprocally move the discharge portion such that the process solution is sequentially supplied to an entire surface of the substrate.

The other applied documents are not seen to remedy the deficiencies of Kiyobumi '632.

Dependent Claims 2 to 8 and 11 to 13 are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent claim discussed above. Therefore, separate and individual consideration of each of these dependent claims is respectfully requested.

Applicants have not yet received an initialed Form PTO-1449 for the October 6, 2005 Information Disclosure Statement. It is respectfully requested that the Examiner return an initialed copy with the next Office communication.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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